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**AUTO-DA-FE IN LWÓW IN 1728\*:  
THE JAN FILIPOWICZ TRIAL AND JEWISH  
RE-CONVERSION TO JUDAISM  
IN THE EARLY MODERN POLAND**

**Abstract**

This article discusses the question of neophytes' return to Judaism, especially the case of Jan Filipowicz, who was condemned to death for this crime in 1728 in Lwów. The return of Jewish converts to their religion of origin was a relatively frequent occurrence in the Polish-Lithuanian Commonwealth, but those charged with this crime, especially Jews from Lwów accused of persuading the neophytes to return, were not usually treated as harshly as Filipowicz. The exceptionally harsh sentence given to the rabbis responsible for the return of Filipowicz to Judaism resulted from the judges' belief in the existence of a ritual of dechristianization, a special blasphemy against Christianity. The relationship of the courts and the Church in the Polish-Lithuanian Commonwealth to the problem of apostasy among converts from Judaism is addressed. The penitential practices described in the court documents are similar to those described by the inquisitor Bernard Gui in the fourteenth century and to the ritual of dechristianization described by Jan Serafinowicz, the most famous eighteenth century convert.

**Keywords:** conversion, apostasy, Jews, judiciary

**I  
THE TRIAL OF JAN FILIPOWICZ**

For centuries, infamous court cases concluding in spectacular public executions have fascinated not only the masses but social elites as

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\* The title of this work refers to a piece authored by Majer Bałaban, 'Auto-da-fe we Lwowie w r. 1728', in *idem, Studia Historyczne* (Warszawa, 1927), 134–40. For more on apostasy see Adam Kaźmierczyk, *Rodziłem się Żydem ... Konwersje Żydów w Rzeczypospolitej XVII–XVIII w.* (Kraków, 2015), 165–93. This article is based on archival research conducted as part of the *Jewish Apostasy in the Early Modern Period* project funded by the Rothschild Foundation (Hannadiv) and translated with the support of a European Research Council (ERC) grant.

well. It was no different in the First Republic of Poland, the Polish-Lithuanian Commonwealth. In Lwów, one of the most important cities of the Polish crown, a trial was held in May 1728 in the matter of a reversion to Judaism by the Jewish neophyte Jan Filipowicz, an act treated by canon and secular law as ‘apostasy’. This episode would bring repercussions extending far beyond the borders of the Republic. In the meantime, however, Filipowicz was executed, along with the two Reices [Reizes] brothers. Two others who had been indicted, one of whom was Chaim Lejzorowicz, the land rabbi of Lwów, managed to escape with their lives.<sup>1</sup>

The foreign press informed the public far and wide about this trial. The German *Berlinische Privilegierte Zeitung* and the French *Gazette de France*, among others, relayed the details.<sup>2</sup> A collective memory of this tragic incident was maintained, too, among subsequent generations of Lwów Jews. An elegy honored the memory of the martyrs, and the *parochet* in a nearby synagogue<sup>3</sup> was preserved as a memento until the times of the historian Majer Bałaban.<sup>4</sup>

For those residing in the Republic at the time, this case was disturbing and shocking enough for Jakub Radliński,<sup>5</sup> the well-known religious writer, to include the Lwów decrees in his book, published for the first time in 1733. This book was the Polish translation of *The Epistle of Rabbi Samuel*, an anti-Jewish polemic and worldwide bestseller known since the Middle Ages.<sup>6</sup> Radliński’s book turned out to be so popular that it was reissued and enjoyed several editions in the ensuing years (although the decree itself was omitted in the

<sup>1</sup> Hanna Węgrzynek, ‘Reizes Brothers’, in Gershon D. Hundert (ed.), *The YIVO Encyclopaedia of Jews in Eastern Europe*, ii (London, 2008), 1537; Majer Bałaban, *Dzielnica żydowska. Jej dzieje i zabytki* (Biblioteka Lwowska, 5–6; Lwów, 1909), 34–7 [in Russian, ‘Из прошлого “Еврейской улицы” во Львовѣ (XVII–XVIII в.)’, *Evrejskaja Starina*, i, 2 (1909), 242–6].

<sup>2</sup> Bałaban, ‘Auto-da-fe’, 136–7.

<sup>3</sup> *Ibidem*, 140. The *parochet* was funded by Lipka, the widow of one of the victims, Chaim Ickowicz, the rabbi of Kamionka Strumiłowa.

<sup>4</sup> G.I. Syrkin, ‘Elegija na smert’ l’vovskix mučenikov’, *Evrejskaja Starina*, i, 2 (1909), 277–81.

<sup>5</sup> Jan Kozłowski, ‘Radliński Jakub Paweł’, in *Polski Słownik Biograficzny*, xxxix (Wrocław et al., 1986), 708–10.

<sup>6</sup> Ora Limor, ‘The Epistle of Rabbi Samuel of Morocco: A Best-seller in the History of Polemics’, in *eadem* and Guy G. Stroumsa (eds.), *Contra Judens: Ancient and Medieval Polemics between Christians and Jews* (Tübingen, 1996), 177–94.

1753 version).<sup>7</sup> Radliński, who also incorporated a chapter entitled 'With what care are Jews to be admitted to Holy Baptism' in his book, treated the criminal case of the Filipowicz apostasy as a separate matter. He reprinted the decree of the Lwów castle court alongside a Polish summary under a heading which less than accurately reflected the content: "Point 18 in which is illustrated a recent example of blasphemy against GOD and great cruelty against those who convert to the Holy Catholic faith from the Jewish error."<sup>8</sup>

An extract from the Lwów decree against the rabbis was soon registered in a location far from Lwów; the abbreviated decrees was entered into the files of the Poznań castle court of law in 1731. Execution of this legal action was, in this instance, undoubtedly preparation for a trial in a similar case against Jews in the Greater Poland [*Wielkopolska*] region.<sup>9</sup> Additional documents also testify to this fact. Traces of trials conducted between 1732 and 1734 against certain Greater Poland Jewish communities, specifically pertaining to the persuasion of Jews to return to the fold and to the abduction of converts to Christianity back into the Jewish community, have been preserved in the Poznań consistorial acts. Unfortunately, the majority of these acts either did not survive or were never entered into the consistorial registry. One case pertained to the matter of Agnieszka, a neophyte. However, from

<sup>7</sup> Here we rely on the 1740 edition available in electronic form in the CBN Polona: Jakób Radliński, *Prawda chrześcijańska od nieprzyjaciela swego zeznana to iest Traktat rabina Samuela pokazujący błędy żydowskie około zachowania Prawa Moyżeszowego y przyścia Messyasowego, którego Żydzi czekaią ... potym z łacińskiego ięzyka na polski przetłumaczony przez X. Jakóba Radlińskiego, S.T.D.* (Lublin, 1740), <<http://www.polona.pl/dlibra/doccontent2?id=21230&from=&from=generalsearch&dirids=1&lang=pl>> [Accessed: Nov. 2017].

<sup>8</sup> Radliński, *Prawda chrześcijańska*, 553–94 (missing 563–92); 614–48, Point (Chapter) 18, including the decrees (620–44). An ensuing chapter, Point 19, is added: "Provided are lessons in which Jews requesting the sacrament of Holy Baptism should be practiced", 648–64.

<sup>9</sup> Poznań, State Archives (*Archiwum Państwowe* [hereinafter: AP]), Akta m. Poznania I-2255, Collection of loose documents regarding court cases pertaining to Jews, 237–44, Extract from the acts of the Poznań castle court, 31 Dec. 1731. Oblate of Lwów decree of 11 May 1728, with reference to the apostasy of Jan Filipowicz between Antoni Wyszpolski, the prosecutor of the Lwów castle court and the imprisoned Lwów [sic!] rabbi, Chaim Ickowicz [Ickowicz was the rabbi of Kamionka Strumiłowa], and the Szczercz rabbi, Oszyja Ickowicz. The extract did not include the sentence pronounced on Filipowicz himself but correlates with 634–44 in Radliński.

a brief decree issued on 9 February 1733 by the administrator of the Poznań diocese, Józef Pawłowski (also the Pszczew archdeacon), it appears that the majority of indictments against Jews involved in her case were dismissed. Nevertheless, she and the prosecutor were permitted to pursue further, unspecified litigation against the Swarzędz Jews.<sup>10</sup>

Agnieszka was not the sole exception. As subsequent entries indicate, at least a few former Jews, alongside those persons assisting in or coercing their return, became the centre of the Poznań consistory's attention. In November 1733, the elders of the Pniewy community vouched in the consistorial acts on behalf of their rabbi and sexton that these two would stand before the court in the case of Jewish neophytes and their progeny returning to Judaism. The object of attention must have been neophytes who had lived as Christians for a long period of time as they had managed to raise sons under Catholicism, evidenced by charges which included the circumcision of offspring.<sup>11</sup> Included in this registry is also an entry regarding the appointment of plenipotentiaries by these Jews: Bartłomiej Barent, secretary of His Majesty the King; Piotr Kramberski, vice-notary of the Poznań castle court; Wojciech Płachecki [?], secretary of His Majesty the King; and Franciszek Ruski. The trial in the consistorial court of law must have left room for further developments because shortly thereafter a few other communities nominated precisely the same plenipotentiaries.<sup>12</sup>

<sup>10</sup> Poznań, Archdiocesan Archives (*Archiwum Archidiecezjalne* [hereinafter: ADP]), AE, XL, cc. 64r–65v, *Venerabilis Instigator contra synagogas infidelium Judeorum Posnanensis, Vschoviensis, Lesznensis et Swarzensis*, 9 Feb. 1733. The prosecutor, Piotr Hertel, accused Jews from Swarzędz (Henoch Israel and Habusz), from Poznań (Szaja and Józef Szkolny), from Kalisz (Lewek), from Leszno as well as from Wschowa (Hersz) for inciting Agnieszka to cast aside Christian dress and change into Jewish clothing, and then taking her away to Toruń under the pretext of seeking a job as a servant. Standing before the court, Szaja admitted only to transporting Agnieszka but claimed not to be aware of the fact that she had become a Christian. The Jews were granted the right to make an oath absolving them of blame. See, too, the acquittal [*libertacja*] of Jews from legal claims upon execution of such a vow (ADP, 13 Feb. 1733, c. 68; and the acquittal: ADP, AC 197, c. 174v, 12 Feb. 1733, Acquittal of the Jews, cc. 174v–175r, *Quietatio de summis immediate repositis per Illrem Hertel Canonicum et Pudicam Agnetem neophitam virginem*).

<sup>11</sup> ADP, AC 197, c. 211r, 27 Nov. 1733, *Fideiussio per seniores totamque synagoram Judaeorum Pnevnsibus*.

<sup>12</sup> ADP, AC 197, c. 211v, 7 Dec. 1733, Międzychód; 11 Dec. 1733, c. 212r, Lwówek community; 8 Jan. 1734, community of Pyzdry, c. 213v; 28 Jan. 1734,

Unfortunately, we do not have the decisions of the sentences pronounced. Only on the basis of the content of this acquittal can we ascertain that the guilt of the Jews was proven, at least to some extent, since they incurred penalty fines. In the first of these acquittals, the prosecutor, Piotr Hertel, canon of the collegiate of Maria Magdalena Church in Poznań and the consistorial prosecutor, released to the Poznań community a decree dated 28 January 1734 in a matter between him and the synagogue of the Poznań Jews: “occasione acsi avocationis certarum personarum neophitarum in processu causae specificatorum ac expeditionis eorundem in ordine ad redeundum ad Judaismum.”<sup>13</sup> Similarly excused was the Międzychód community; in this instance the community was freed from the financial fines imposed upon them for harm inflicted on the neophyte Michał Józef by the sexton.<sup>14</sup> Similar incidents occurred in Swarzędz (19 February 1734)<sup>15</sup> and Szamotuły (15 March 1734).<sup>16</sup> Still nothing signals that a case of undoing a conversion was taken to some criminal, castle, or municipal court. In practice, this means that those guilty of inciting, coercing, or even forcing someone to commit apostasy from Christianity were usually not under threat of a death sentence.

## II CONVERTS TO CHRISTIANITY RETURNING TO JUDAISM IN EARLY MODERN POLAND

How, then, were cases of converts returning to Judaism resolved in the Polish-Lithuanian Commonwealth? Since the Middle Ages, canon law had unambiguously held that a Jew who voluntarily accepted baptism should endure as a Christian (although this principle was

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c. 216v, and the community of Szamotuły (although without mention here of neophytes).

<sup>13</sup> ADP, AC 197, c. 216v, 5 Feb. 1734, *Quietatio de processu Synagogae Judeorum Posnanensium*.

<sup>14</sup> ADP, AC 197, cc. 217r–217v, 5 Feb. 1734, *Quietatio Synagogae Miedzichodenses*, decree of 1 Feb. 1734 “occasione conservationis pro ulteriori expeditione certarum personarum neophitarum”.

<sup>15</sup> ADP, AC 197, c. 218v, 19 Feb. 1734, reference is made in this case to the earlier mentioned neophyte, Agnieszka.

<sup>16</sup> ADP, AC 197, c. 221, 15 March 1734, *Quietatio de processu Synagogae infidelium Judaeorum Szamotuliensibus*; this case also refers to neophytes: “occasione conservationis pro ulteriori expeditione certarum personarum neophitarum”.

treated rather flexibly). In a letter to the Archbishop of Arles in 1201, Innocent III concluded that a Jew forced into baptism should remain true to his new faith until the end of his life.<sup>17</sup> Pope Clement IV ordered severe punishment for Christians who undertook Judaism in the 1267 *Turbata corde* bull (subsequently reaffirmed by Gregory X in 1274, Martin IV, and Nicholas IV in 1289). Even if the bull of Clement could be understood as an exaggerated reaction to Jewish proselytizing, later editions clearly testify that this was a papal response to the phenomenon of Jewish neophytes undoing their conversion and returning to the fold.<sup>18</sup> That said, in 1277, Pope Nicholas III, in response to a Dominican inquisitor's query, replied that Jews who succumbed to baptism in fear of their own lives, and then refused to live as Christians even after long-term imprisonment, should be treated as normal heretics: that is, they should be burned at the stake.<sup>19</sup> Therefore, Jews who reverted to Judaism were treated by the Church as heretics and should hence be subject to the punishment foreseen for apostates.

The issue of persons assisting apostates from Christianity in the return of the latter to their previous religion is quite a separate matter. Although Jews did not fall within the jurisdiction of papal inquisitors pursuing apostates in Western Europe, a few instances of trials conducted against Jews who aided neophytes in their return to Judaism are known from the medieval period. As a case described by Joseph Shatzmiller illustrates, this crime did not necessarily incur the most severe of sentences.<sup>20</sup> The French inquisitor Bernard Gui included in his work a form which directly pertained to the penalization of Jews guilty of such a crime. Aside from a pledge that they would not commit

<sup>17</sup> Salomon Grayzel, *The Church and Jews in the XIIIth Century* (Philadelphia, 1933), 102.

<sup>18</sup> Shlomo Simonsohn, *The Apostolic See and the Jews: History* (Toronto, 1991), 233.

<sup>19</sup> Grayzel, *The Church and Jews*, 15.

<sup>20</sup> Joseph Shatzmiller referred to the document of a French notary which was preserved in the binding of another work: the submission of Salves Barbe, a Jew who vowed that he would not in the future participate in the ceremony of "re-Judaization". See: Joseph Shatzmiller, 'Converts and Judaizers in the Early Fourteenth Century', *The Harvard Theological Review*, lxxiv (1981), 63–77; Yosef Hayim Yerushalmi, 'The Inquisition and the Jews of France in the Time of Bernard Gui', *The Harvard Theological Review*, lxiii, 3 (1970), 317–76; Kristine T. Utterback, "'Conversi' Revert: Voluntary and Forced Return to Judaism in the Early Fourteenth Century', *Church History*, lxiv, 1 (1995), 16–28.

such an act in the future, the guilty parties simply had to contribute an appropriate sum for charitable aims.<sup>21</sup>

Roman Catholic Church legislation regarding neophytes from Judaism was, naturally, known and applied in Poland. The Jewish question appeared in the legislative acts of the Polish church significantly more frequently throughout the eighteenth century, compared to earlier periods.<sup>22</sup> Issues pertaining to neophytes were mentioned in the 1704 bull of Clement XI, which, translated into Polish, made its way into the acts of the Płock diocese in 1733 as well as the pastoral letters of some bishops.<sup>23</sup> Known for his missionary activism, the Bishop of Łuck, Franciszek Antoni Kobielski, reminded Jews of the ban on contact with neophytes in his 1741 *Letter to the Jews* [*Proces do Żydów*]: “With those accepting the Christian faith by divine enlightenment, with Jews once baptized in our churches, may you not dare to convert, consort with, or even spur such persons to an ill-fated conversion, bringing upon them eternal spiritual and mortal corporeal punishment.”<sup>24</sup> In a document published in 1746, he included an edict going further still: he threatened Jews with legal consequences and ordered clergy to summon the entire *kehilla* before the tribunal in such cases.<sup>25</sup> On the other hand, information appears rather frequently in ecclesiastical sources about apostates guided back onto the path leading to truth and providence.<sup>26</sup> But it was not always noted whether

<sup>21</sup> Bernard Gui, *Practica inquisitionis heretice pravitatis*, ed. Célestin Douais (Paris, 1886), 49–50.

<sup>22</sup> Gershon D. Hundert, *Jews in Poland-Lithuania in the Eighteenth Century: A Genealogy of Modernity* (Berkeley, 2004), Chapt. 3.

<sup>23</sup> Magdalena Teter, ‘Jewish Conversion to Catholicism in the Polish-Lithuanian Commonwealth of the Seventeenth and Eighteenth Centuries’, *Jewish History*, xvii (2003), 263–6.

<sup>24</sup> Adam Kaźmierczyk (ed.), *Żydzi polscy 1648–1772: Źródła* (Studia Judaica Cracoviensia, Series Fontium, 6; Kraków, 2001), 56.

<sup>25</sup> Franciszek A. Kobielski, *Światło na oświecenie narodu niewiernego to iest kazania w synagogach żydowskich miane, oraz reflexye y list odpowiadający na pytania synagogi brodzkiej* (Lwów, 1746), 191: “that synagogue which would dare to take in and dissuade some baptized Jew and encourage his original error must know that the entire *kehilla* will be judged for this” (<[http://reader.digitale-sammlungen.de/de/fs1/object/display/bsb10464963\\_00243.html](http://reader.digitale-sammlungen.de/de/fs1/object/display/bsb10464963_00243.html)> [Accessed: Nov. 2017]). See also Hundert, *Jews in Poland-Lithuania*.

<sup>26</sup> For example, annual reports from specific Jesuit convents. The so-called *Annuae* mentioned, in addition to converts from various confessions, the category of apostates. See Teter, ‘Jewish conversion’, 260–3.



apostasy on behalf of Judaism or Islam, or a change to another Christian confession, or perhaps a case of monks abandoning their monastery [*apostasia a religione*] belonged to the most grievous of cases. Therefore, forming an unequivocal assessment of Church practice is problematic. It seems that many persons in the Church did, however, hold back from the ultimate decision, turning apostates over to the secular courts. This is at least suggested by a note originating in the Jesuit college in Lublin in which the case of a neophyte's return to Christianity is described. According to the record, after accepting baptism in Poznań a decade earlier, the neophyte returned to Judaism due to his impoverishment; nevertheless, humbled and penitent, he made his confession and declared a desire to cast Judaism aside.<sup>27</sup>

Still, lay law generally dealt with trespasses against the Christian faith with extraordinary severity. Apostasy, especially toward Judaism, fell in this category. The municipal law developed and applied on Polish lands contained mentions of the necessity to treat apostasy harshly, and Bartłomiej Groicki even added a note on the death penalty by decapitation to which a Jew attempting to proselytize a Christian would be subject: "A Jew to his sect should not convert a Christian. Yet wherever he might proselytize, he is to be punished by the sword."<sup>28</sup> Competency for apostasy out of Catholicism was handed over to the crown tribunal by the Sejm constitution of 1670.<sup>29</sup> So, too, attempts to codify Polish law under the reign of Stanislaus August Poniatowski contained paragraphs regarding converts out of Judaism. Above all, the authors of the statute expressed a general social conviction that

<sup>27</sup> Rome, Roman Archives of the Society of Jesus (*Archivio Romano Societatis Iesu*, ARSI), Pol. 59, c. 277v. On the other hand, at the Jesuit college in Vilnius, a case was noted of a former Jew who, having confessed to a Jesuit (it was emphasized), died. Considering such a brief mention, natural death cannot be ruled out, but, more likely it would seem, he was executed; Vilnius, University Library (*Vilniaus universiteto biblioteka*, VUB), Fond 2, DC5, p. 4.

<sup>28</sup> Bartłomiej Groicki, *Porządek sądów i spraw miejskich prawa majdeburskiego w Koronie Polskiej* (Warszawa, 1953), 62, 199; "An apostate from the Christian faith is to be burned"; Marian Mikołajczyk, 'Przestępstwa przeciwko religii i Kościołowi w prawie miast polskich XVI–XVIII wieku', *Czasopismo Prawno-Historyczne*, li, 1–2 (2000), 226–7.

<sup>29</sup> *Volumina legum*, v (Petersburg, 1859–60), 34. "As a criminal act against the Divine Majesty has been committed, *celerem requirunt vindictam* such as *Arianizmi*, *Sacrilegij Iudaici et cujusvis Apostasiae*: therefore such cases, each day and month are to be called forth and judged *ante omnia*." Similarly, the Sejm of 1685: *Volumina legum*, v, 355; 1726, *ibidem*, vi (Petersburg, 1860), 220.



baptized Jews should maintain contact neither with their family, nor with other Jews. This was to circumvent possible returns to their previous confession. Whenever such a meeting was unavoidable, it was to be held in the presence of at least one Christian. Infraction of this rule would mean a sentence of imprisonment for the period of one week for the neophyte, or one month for Jews.<sup>30</sup>

The final version of this code of law comprised a rather terse paragraph regarding apostasy. The punishment dictated for straying from Catholicism was expatriation from the country and confiscation of all property to be distributed among the closest relatives.<sup>31</sup> Noteworthy here is that abandonment of Christianity on behalf of Judaism is not distinctly distinguished, but one of the earlier versions of this codification encompasses a rather broad catalog of cases in which a person could be charged with apostasy. Any Jew who would return to his former religion, would go to synagogue, or would continue to observe certain Jewish practices was subject to punishment for this crime.<sup>32</sup>

Yet another matter is the attitude taken by the authorities of the First Republic as well as its society to the problem of reversals among involuntary converts who had been forced to change their faith during the Xmelnicky revolt and the war with Moscow.<sup>33</sup> Just as Emperor Henry V had done centuries earlier, King Jan Kazimierz issued a universal permitting a return back to Judaism.<sup>34</sup> Similarly, the efforts of Polish diplomats regarding the right of return for those deported deep into the Muscovite kingdom must have also resulted in consent for these individuals to resume their previous

<sup>30</sup> *Zbiór Praw Sądowych na mocy konstytucji Roku 1776 przez J.W. Andrzeja Zamoyskiego ex-kancelerza koronnego, kawalera Orderu Orła Białego ułożony y na Sejm Roku 1778 podany* (Warszawa, 1778), Pt. 1, Art. 32, §22.

<sup>31</sup> *Ibidem*, Pt. 2, Art. 46, §3.

<sup>32</sup> Jerzy Michalski, 'The Jewish Question in Polish Public Opinion during the first two Decades of Stanislas August Poniatowski's Reign', in *Studies in the History of the Jews in Old Poland in Honor of Jacob Goldberg* (Scripta Hierosolymitana, 38; Jerusalem, 1998), 144–5.

<sup>33</sup> Shaul Stampfer estimates the number of such forced converts to Orthodox Christianity at approx. 1000 persons; the war with Moscow after 1654 would certainly have increased this figure. Shaul Stampfer, 'What actually happened to the Jews of Ukraine in 1648?', *Jewish History*, xvii (2003), 217–18.

<sup>34</sup> L'viv, Central State Historical Archives (Центральний державний історичний архів України [hereinafter: CDIA]), fond 9, op. 1, d. 400, 66–7, *Uniwersał Jana Kazimierza*, Warsaw, 5 May 1649.

belief.<sup>35</sup> Undoubtedly weighing on this stance to a great extent was the fact that these reconversions constituted not deviation from Catholicism, but from Orthodoxy, which at that time Roman Catholics regarded as schismatic. Nevertheless, this could perhaps also be linked to the necessity of changing one's place of residence. Bogusław Radziwiłł, for example, ordered all "alien" Jews to be expelled from his estates under the pretext that among them might be many previously baptized (the universal even names two such Jews by name).<sup>36</sup> Significant, however, is the stand taken by the municipal court in Dubno which sentenced a convert to death in 1649 (nota bene for the murder of a Jewish leaseholder [*arendarz*]), but gave him the choice of religion in which he would like to die! Even more telling is the fact that this was not associated with any additional punishment. Usually, the sentences of Jewish convicts were rendered more moderate if the guilty party decided on baptism, and, considering that apostasy was punishable by death under Magdeburg law, the court should actually have sharpened the penalty.<sup>37</sup>

For Ashkenazi Jews, the most important position was that of Rashi, "Yisra'el she-hata', 'af 'al pi she-hata', Yisra'el hu'" (a Jew, even though he has sinned, remains a Jew),<sup>38</sup> even if subsequent generations of

<sup>35</sup> Ultimately, in the treaty signed in Andruszów in 1667, the Polish side was unable to successfully arrange the right to return to the Republic for prisoners of war (both townspeople and Jews) who had become members of the Russian Orthodox Church; this issue was postponed for later resolution. Zbigniew Wójcik, *Traktat andruszowski 1667 roku i jego geneza* (Warszawa, 1959), 256.

<sup>36</sup> Warsaw, Central Archives of Historical Records (*Archiwum Główne Akt Dawnych* [hereinafter: AGAD]), Radziwiłł Archive (*Archiwum Radziwiłłów* [hereinafter: AR]), XXIX, 4, 9 June 1659, „Rumacyja Żydom obcym”, 10.

<sup>37</sup> Kiev, CDIA, fond 33, op. 1, d. 6 (accessed from microfiche found in Jerusalem, Central Archives for the History of the Jewish People, micr. HM 9996.3), 36: "with the stipulation that, when he was officially asked how he would like to die since, baptized in the Christian faith, a clergyman would be needed, to this he said that 'I not of my own free will have been baptized, Cossacks forcibly baptized me and more than a few of us were baptized until they became Jews again and I do not want to be a Christian and ask to die in the Jewish faith.'"

<sup>38</sup> For more on the attitude of rabbinical authorities and the problem of apostasy, see: Jacob Katz, *Exclusiveness and Tolerance* (Oxford, 1961), esp. Chapt. 'Apostates and Proselytes', 67–81; Edward Fram, 'Perception and Reception of Repentant Apostates in Medieval Ashkenaz and Pre-modern Poland', *Association for Jewish Studies Review*, xxi, 2 (1996), 299–339; Joseph Shatzmiller, 'Converts and Judaizers in the Fourteenth Century', *Harvard Theological Review*, lxxiv (1981), 63–77;

scholars modified it somewhat.<sup>39</sup> Rashi's stance is that Judaism does not recognize the validity of conversion from the faith (one cannot cease being Jewish). Therefore, apostates need not be encouraged or forced to "reconvert".

This interpretation notwithstanding, conversion to Christianity was seen as a shameful stain on the honor of the family. Therefore, in many cases, in order to regain prestige, Jewish individuals or entire communities sometimes did try to encourage (or even force) neophytes to return to Judaism. From time to time this could even end in tragedy. In 1783 an attempt to convince Magdalena Kwiatkowska, a neophyte, to return to the fold of her family and initial faith ended with her death (strangled).<sup>40</sup> A century earlier, death at the hands of one's own family was suffered by another female neophyte during an attempt to capture her from a nobleman's mansion.<sup>41</sup> And in 1788, Vincenty Neumann, the son of a local elder, was kidnapped, with the assistance of another neophyte, from the Dominican monastery in Vilnius.<sup>42</sup> Nonetheless, when, at the beginning of that same century, the underage son of a local leaseholder disappeared from the cloister in Sandomierz, the parish priest in Stopnica accused the father of using the services of a Christian witch and even won a guilty verdict in absentia from the crown tribunal.<sup>43</sup>

Given these views within the Jewish community, many among the converts could return to Judaism more or less voluntarily, threatening

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Bernard Rosensweig, 'Apostasy in the Late Middle Ages in Ashkenazic Jewry', *Dine Israel*, x-xi (1984), 43-79; Utterback, "Conversi" Revert'; Benjamin Ravid, 'The Forced Baptism of Jews in Christian Europe: An Introductory Overview', in Guyda Armstrong and Ian Wood (eds.), *Christianizing peoples and converting individuals* (International Medieval Research, 7; Turnhout, 2000), 157-67.

<sup>39</sup> See the latest work by Ephraim Kanarfogel, 'Changing attitudes towards apostates in tosafist literature, late twelfth-early thirteenth-centuries', in Elisheva Carlebach and Jacob J. Schacter (eds.), *New Perspectives on Jewish-Christian Relations* (Leiden, 2011), 297-327.

<sup>40</sup> AGAD, AR, XV, teka 6, plik 4, 68-9, 71, 73, 123-30, 133-50.

<sup>41</sup> Jakub Goldberg, 'Żydowsky konwertycy w społeczeństwie staropolskim', in Anna Izydorczyk and Andrzej Wyczański (eds.), *Spółeczeństwo staropolskie*, iv (Warszawa, 1986), 213-14.

<sup>42</sup> Vilnius, Lithuanian State Historical Archives (*Lietuvos valstybės istorijos archyvas*, LVIA), fond 620, op. 1, d. 50, cc. 121, 127-9, 130-3, 134-42; Israel Klausner, *Vilna be-tekufat ha-Ga'on: ha-milhamah ha-ruhanit ve-ha-hevratit be-kehilat Vilna be-tekufat ha-GR'A* (Jerusalem, 1942), 172.

<sup>43</sup> L'viv, CDIA, fond 181, op. 1, d. 5910.

themselves and other Jews in case of discovery. Although much of what had been in extant acts of original documents has not survived to the present day (e.g., tribunal acts, criminal acts of the castle courts), it has nevertheless been possible to find a range of judicial decisions in cases of apostasy towards Judaism. With reference to decrees by secular courts regarding apostates themselves, either 'old' Christians,<sup>44</sup> or those reverting to Judaism, such trials commonly ended with a qualified (especially cruel) death penalty [*śmierć kwalifikowana*]. It is true that the second half of the eighteenth century brought symptoms of an easing up on the system of punishments under the influence of new Enlightenment trends. For that reason, the municipal criminal court in Poznań, after first referring the case to the local consistory, ultimately sentenced Stanisław Izbicki to a lashing and public repentance during the Easter Triduum in the parish church of Maria Magdalena in Poznań.<sup>45</sup> A tempering circumstance was the fact that Izbicki assured the court that he wished to remain a Christian. In another case that very same year, another municipal court, this time in Żółkiew, condemned a former Jew found guilty of apostasy to death, but the landowner, Michał Kazimierz 'Rybeńko' Radziwiłł, took advantage of the right to pardon and lessened the sentence: "so that three years in the Żółkiew castle he will remain chained and labor pushing wheelbarrows." Here, too, an extenuating circumstance might have been the fact that the defendant had been caught in Christian dress (although still "shaven Jewish style" which likely means *peyot* and a beard) because, as he stated in his testimony, he was returning to his wife, a Christian woman.<sup>46</sup>

<sup>44</sup> Stefan Żuchowski wrote of Major [Krzysztof Joachim] Przyborowski, sentenced to be burned at the stake by the Lublin Tribunal. But interpreting the texts preserved in his papers, Przyborowski should rather be considered as someone who, in seeking his own path to God and reading the Bible, began to practice an idiosyncratic form of Christianity which included several elements perceived as "Jewish errors". Sandomierz, Diocesan Library (*Biblioteka Diecezjalna* [hereinafter: BDS]), AKKS, 741, cc. 79r–89v, 91–2v.

<sup>45</sup> AP, I-652, 246–8. Another apostate sentenced to painful death was a Croatian captured in Lithuania. See *Żydzi polscy 1648–1772*, 187, as well as Magdalena Teter, 'The Legend of Ger Zedek of Wilno as Polemic and Reassurance', *AJS Review*, xxix, 2 (2005), 237–63.

<sup>46</sup> L'viv, Ivan Franko L'viv State University Library (*Naukova Biblioteka L'vivs'koho Derzhavnoho Universytetu im. Ivana Franka*), MS. 619, cc. 15v–17; 14 May 1756, cc. 62–62v; 2 March 1757, c. 80v.

Matters involving Jews who had been charged with persuading neophytes to revert to Judaism via persuasion or per chance even force were another issue. This problem is as yet unexplored but certain examples attest to the fact that the fullest extent of punishment was often avoided in such instances. For instance, during the trial of two Christian-born women who had converted to Judaism and were residing among the Jews of Dubno, in which both were sentenced to burn at the stake, the local Jews managed to avoid condemnation by making a purgative vow by which they proved prior ignorance of the fact that both women were not born Jewish.<sup>47</sup> It is also possible to discover documents in which neophytes, sometimes in the presence of their secular or clerical guardians, released specific Jews or entire communities from claims and annulled cases in matters involving encouraging or occasionally forcing a converted Jew to reversal. In Cracow, the neophyte Augustyn Ulanowski, along with his lord, acquitted Mendel Drweiles, a Jew from Kazimierz and the community of Kazimierz from any and all claims in 1696. A decree issued by castle court authorities regarding inducement to apostasy was also expunged because, in this particular instance, the neophyte had ultimately reconsidered and hence apostasy had not really been accomplished.<sup>48</sup>

The Lwów decision can therefore be seen as in accordance with the law then in force, but, simultaneously, not entirely in accordance with court practice in the Republic of Poland at that time. Here, obviously, allusion is made to the guilty verdict, condemning rabbis to death for offending the Christian faith and inducing apostasy.

<sup>47</sup> *Arxiv Jugo-Zapadnoj Rossii izdavaemyj Kommissseju dlja razbora drevnix Aktov*, Pt. 5, vol. i: *Akty o gorodach* (Kiev, 1869), 267–70; Magdalena Teter, 'Kilka uwag na temat podziałów społecznych i religijnych pomiędzy Żydami i chrześcijanami we wschodnich miastach dawnej Rzeczypospolitej', *Kwartalnik Historii Żydów*, cxcvii (2003), 334–5.

<sup>48</sup> In the final quarter of that century in Cracow, there were at least two other similar cases: Stanisław Piotrowski and Andrzej Rubinkowski. With reference to the latter, it is known that he returned to Judaism because he left a wife who, likely also a neophyte, released the Kazimierz community and expunged the records held in the case of persuading her husband to apostasy (some twenty years earlier!). See Adam Kaźmierczyk, 'Przypadek Augustyna Ulanowskiego: Przyczynek do dziejów konwersji w XVII w.', in Bogdan Rok and Jerzy Maroń (eds.), *Między Lwowem a Wrocławiem: Księga jubileuszowa profesora Krystyna Matwijowskiego* (Toruń, 2006), 135–41.

So what circumstances comprised the basis for so drastic a sentence by a rather atypical court?

The death sentence pronounced on Jan Filipowicz was issued by the castle court as a criminal court (not, however, a crown tribunal which, according to the decision of the Sejm, had priority in cases of apostasy). Nevertheless, the second decree was read by the court, the Lwów *starosta* himself plus the castle court of law and arbiters called to the bench. The *starosta* at the time was Stefan Potocki, the Crown Grand Marshal; the invited arbiters were Janusz Wiśniowiecki, the Cracow castellan; Jan Stanisław Jabłonowski, the Voivode of Ruthenia; Stefan Humiecki, the Podole Voivode; and Stanisław Władysław Potocki, the Grand Guard [*strażnik wielki*] of Lithuania. Despite Majer Bałaban's conclusions, there is no trace in the decree that the vice-governor [*podwojewoda*] of Lwów participated in the college of justices.<sup>49</sup>

Indubitably crucial in the entire matter was the defendant himself – the apostate Jan Filipowicz. Notwithstanding Bałaban's opinion, he was not an alien, foreign Jew, unknown to Lwów. The Jewish legend reporting that Filipowicz did not know the persons who purportedly persuaded him to return to the fold and only during a lineup indicated Oszyja Reices seems to have been created some time later. In light of sources currently known, it is not very credible. From the testimony of Jan Filipowicz, dated 31 October 1727 and given during his incarceration in the burgrave's prison, it is evident that he was from the Lwów area. As he stated, "I am born in Jaryczów, and as was with Sochor and the Jaryczów Jews, so I of my own free will accepted the faith of the holy Greek religion."<sup>50</sup> Moreover, Jacek, the cobbler mentioned in the Lwów decree who had recognized Filipowicz in Strusów as an apostate who had left Christianity, was not a chance witness but the brother-in-law of the aforementioned Sochor.<sup>51</sup> This information discloses the circumstances surrounding Filipowicz's baptism and at least partly explains the reasons behind his Greek (Byzantine rite) and not Roman (the dominant rite) Catholic baptism.<sup>52</sup>

<sup>49</sup> Radliński, *Prawda chrześcijańska*, 635.

<sup>50</sup> Kiev, CDIA, fond 52, op. 2, d. 563, 661.

<sup>51</sup> *Ibidem*, 662: "Then came the brother of Sochor's widow who in Jaryczów died, made shoes in Mikulińcy and, being there in Strusów during the fair, recognized me and went with me to the manor and there I was apprehended."

<sup>52</sup> In discussing the reasons behind the conversion of Polish Jews, Jakub Goldberg stressed its utilitarian nature. One argument was, according to Zalkind Hurwicz,



Iwan Sochor, a subject of Jaryczów and a Greek Catholic, was employed in the Jewish distillery. His corpse was found in the spring of 1725 and his death shrouded in mysterious circumstances. Only a few documents related to this homicide have been discovered but everything points to Sochor being viewed by local Christians as having been the victim of a Jewish crime. It was concerning this murder that the Roman Catholic Archbishop of Lwów, Jan Skarbek, wrote to the Lwów starosta, Adam Mikołaj Sieniawski, the Cracow castellan and Hetman of the Grand Crown, requesting that the latter arrest the accused Jews and have them stand before the castle court or the crown tribunal. Skarbek, speaking also in the name of the Greek Catholic bishop, blamed the Jaryczów Jews for a crime against the Christian faith and wrote:

I herewith provide a description of the tormented person, on a separate piece of paper, known as Iwan Sochor, and though Jewish cunning pretends that he was to have burnt in the distillery cauldrons, yet this could never be true under such circumstances whereas a body slashed or scalded when hair, mustache, shirt, and underclothes remain whole and, true, without blood, stains are found. As sent from me, the priest instigator carrying out the investigation among the people and having seen himself ... it would be appropriate to carry the body to the castle court and take into sequester the Jews: Mendel, the elders, and the Jaryczów sexton, and those being there, seeing also foreign Jews unknown[. B]ecause that did not happen, I petition to His Enlightened Lord [the starosta of Lwów], having in my pastoral office the highest authority in this diocese together with HM Father, the [Greek Catholic] Bishop of Lwów, who bore pastoral authority over this martyred person, may you this *nefandum honore plenissimum delictum in renovationem* the passion of Christ *et in odium Christiani nominis perpetratum* without justice not leave, and in his solemn authority [as starosta] be the prompter for the legal examination [*prezenta*] of the body and hand over the Jews into a strong Lwów castle court or tribunal prison for punishment, if due *decorum* show itself.<sup>53</sup>

A second key detail contained in the archbishop's letter links the person of Mendel the Jew from Jaryczów to the Lwów rabbi,

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"that ordinarily [they] convert in favor of the reigning religion; and so the Jew in Istanbul will not be a Christian, nor in Amsterdam a Catholic, nor in Paris a Protestant." See Goldberg, *Żydowsky konwertyci*, 218.

<sup>53</sup> Cracow, Czartoryski Library (*Biblioteka Czartoryskich*, BCz), MS. 5948, nr 38604, Lwów, 10 April 1725; Letter from Lwów from Jan Skarbek, Archbishop of Lwów to Sieniawski with regards to the Jaryczów Jews.



describing the former as the latter's student. Undoubtedly the archbishop was referring to Chaim Lejzorowicz, land rabbi of Lwów, charged in the later trial. This could not refer to either Lejzorowicz's predecessor Jakub Jozue Falk, who was forced to leave his post a year earlier, in 1724, or the suburban rabbi, who is mentioned nowhere in the decree.

How the prosecution of the Sochor murder ultimately ended is unknown but Mendel Jakubowicz, the leaseholder, and the Jaryczów sexton were indeed delivered to castle court prison in Lwów.<sup>54</sup> Complete certainty is impossible, but a highly probable supposition would be that Filipowicz was either the minor-aged son of Mendel (from the context it is clear that he was a young novice learning a trade) or a person closely related to him. This would render the interest of Chaim Lejzorowicz and the Reices brothers in reverting Jan Filipowicz back to Judaism quite understandable. After all, he would not have been the first Jew who, in fear of his own life, undertook baptism in the course of a blood libel trial. With this in mind, the voluntary nature of Filipowicz's baptism is suspect, yet another motive which would shed light on the interest of three rabbis in this single individual.

The attitude of all the Jews in the community towards Jan Filipowicz, if he was perceived as a forced convert, would be much more positive than if his Christian baptism was perceived as being a decision of his own free will. Moreover, considering this line of thinking, participation in the reconversion by the Reices brothers and the land rabbi of Lwów would be reasonable and justified. We would be dealing with a rabbinical court, sanctioning the return of a detached member of the tribe of Israel, in accordance with Judaic law. Aside from the little known Moszek (who played only a minor role as the person who convinced Filipowicz to come to the home of Chaim Ickowicz, one of the Jewish codefendants), all other suspects were, after all, individuals belonging to the Jewish elite of Red Ruthenia. Also in 1728, Chaim Reices was the first named in a summons to the treasury tribunal of Radom issued in the name of Elżbieta Sieniawska to the elders of Ruthenia.

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<sup>54</sup> Kiev, CDIA, fond 52, op. 2, d. 563, 102–3, Testimony of Mendel Jakubowicz, the Jaryczów leaseholder, and Lejba Nosenowicz, the Jaryczów sexton, 10 April 1725. Although the testimony indicates that Mendel was outside the city at the moment of the victim's death, both men were still handcuffed and sent to Lwów, on the order of Elżbieta Sieniawska.

The summons concerned a disadvantageous (in her opinion) schedule for a poll tax imposed upon all Jews inhabiting her landholdings.<sup>55</sup>

Subsequent statements that have not survived intact, both those given “freely” as well as upon bodily torture, affirmed the testimony of Filipowicz that emerges from the contents of the decree. In accordance with the nature of this type of testifying, the incarcerated attempted to present himself in the best light possible and not additionally burden himself with guilt prior to the awaiting trial. Nevertheless, the testimony suggests the performance of a special ceremony of reconversion by Filipowicz with the participation of the defendants. Jan Filipowicz stated that, after Mass, he was that evening accosted by Moszek, who took him to the home of Chaim Ickowicz, the rabbi of Kamionka Strumiłowa, whereupon he was disrobed completely and a Jewish barber who had been sent for shaved his hair. Earlier, however, a wooden crucifix was taken from his neck and, as the prisoner claimed, “they immediately began to say to one another ‘What sort of faith is this? They bow before a piece of wood and pray to it.’”<sup>56</sup> Later the cross was burnt with a candle flame and when it fell on the ground, all three of the rabbis purportedly stepped on and ground it. Finally, Filipowicz was washed with warm water (for the sake of secrecy, probably not in a *mikvah*) by the aforementioned Chaim. He also claimed that he was held captive for four weeks by candlelight in the cellar of Chaim’s shop. He also testified that “the municipal rabbi [Chaim Lejzorowicz] asked me ‘if you will persist in our faith.’ I responded: ‘I will.’” According to further statements, the original plan was to send Filipowicz to Chocim,<sup>57</sup> but Filipowicz himself

<sup>55</sup> Under the name of Chaim Raycyn. Kiev, CDIA, fond 9, op. 1, d. 511, 1197–200; summons dated 6 April 1728.

<sup>56</sup> The accusation that Christians believe in a ‘dead’ God can also be found in other cases. In 1762, Anna Dobrowolska claimed that her parents tried to convince her to return to Judaism arguing, “What sort of a God is that of yours? He has a mouth but does not speak, has ears, but does not hear, has legs, but cannot walk. Your soul will not be saved because after your death it will enter either a dog, or a calf, and will have to live forever in adversity”, Vatican, Secret Archives (*Archivio Segreto Vaticano* [hereinafter: ASV]), VI g 11, vol. xciv, c. 192v. Earlier, in February 1726, Szymon Dubiński was sentenced in Rzeszów, charged (among other things) with suggesting that Christians believe in a figure created by man; see *Żydzi polscy 1648–1772*, 169.

<sup>57</sup> The abovementioned Iwan Wyrzta traveled to Chocim in 1757, mentioning it as a place where many converts returned to Judaism, as described by Dov Ber Brezer (Birkenthal) of Bolechów in *Divre Binah*. My thanks to Gershon Hundert for drawing

protested against this, saying that he knew no one there. Therefore, he was first sent to Dobromil, then further to Drohobycz, and finally to Strusów where he was ultimately recognized by the aforementioned Jacek as an apostate. In his testimony he encumbered several Jews with culpability, claiming that numerous Lwów Jews had visited him at Chaim's home.<sup>58</sup> In other towns, for many people in the region, this must have been an open secret since Jan Filipowicz was later held by the rabbi of Dobromil and his son, the rabbi of Drohobycz.

### III

#### RITUAL PRACTICES OF RECONVERSION TO JUDAISM

Returning to the testimony of Filipowicz, it is worth noting that, although generally it contains elements of ritual reconversion described in the work of the medieval inquisitor, Bernard Gui, *Practica inquisitionis heretice pravitatis*,<sup>59</sup> to a much greater extent it matches the description authored by the famous Polish neophyte Jan Serafinowicz.<sup>60</sup> The washing of Filipowicz's body with warm water constituted the ceremonial cleansing mentioned by both Gui and Serafinowicz, immersion or *tevilah*.<sup>61</sup> Similarly, the shaving of his head was to be

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my attention to this source: <<http://www.earlymodern.org/workshops/2011/hundert/text01/english.php?tid=180>> [Accessed: Nov. 2017].

<sup>58</sup> Kiev, CDIA, fond 52, op. 2, d. 563: "various Jews came to me, asking me if I don't long for them and in different ways cheered me."

<sup>59</sup> Gui, *Practica inquisitionis heretice pravitatis*, 288–9.

<sup>60</sup> BDS, AKKS, 740, cc. 322r–3v. Paweł Maciejko, 'Christian accusations of Jewish human sacrifice in early modern Poland: the case of Jan Serafinowicz', *Gal-Ed*, xxii (2010), 15–66.

<sup>61</sup> Yerushalmi, 'The Inquisition and the Jews of France', 371–2. This author claims that ritual immersion for the penitent apostate was already noted in the thirteenth century: "It is explicitly prescribed as a rabbinic ordinance by the Spanish Talmudist Joseph ibn Habib." Moreover, this decision was accepted by Moses Isserles himself in the sixteenth century. In turn, Salomon Luria asserted that this was a custom practiced in his times which he himself had had occasion to observe. Ephraim Kanarfogel states that many tosafists recommended or even ordered immersion for apostates reverting to Judaism. It is worth noting here that they felt this should take place at night (as described in the Filipowicz case) and in contrast to the proselyte whose immersion should take place in daytime. That said, according to the tosafists there was no need for this to take place in the presence of a rabbinical court, although in Lwów everything seems to indicate that precisely such a court had been constituted. See Kanarfogel, 'Changing attitudes towards apostates', 299.

part of the aforementioned ritual. The sole exception was leaving *peyot* and not, as Gui and Serafinowicz maintained, the shaving of all hair bald. Noteworthy, too, is the Serafinowicz text and the justifications provided therein, because he made direct reference to a fragment of the Pentateuch, to Deuteronomy 21:10,<sup>62</sup> to a much greater degree than that recounted by Salomon Grayzel and Yosef Hayim Yerushalmi in the fourteenth century testimony of Baruch.<sup>63</sup> For Serafinowicz, the hair-shaving was of a clearly anti-Christian nature. Hair was identified with the devil so the cutting of hair was to signify the casting out of the devil, equivalent in this case to the pagan God, meaning Christianity. Still, his argumentation based on Gematria (a numerological system in which Hebrew letters correspond to numbers) was highly doubtful: the numeric values simply do not calculate.<sup>64</sup> This was his over-interpretation of something actually found in Jewish tradition, the association of hair with Esau,<sup>65</sup> the forefather of the Edomites, and then Edom himself, by which name Christianity was also known in Jewish tradition. In addition to Edom, medieval Jewish poets sometimes used the label 'Seir' (which can mean 'hairy') to identify Christianity, whereas the devil or the goat symbolized Esau.<sup>66</sup>

Similarly, the anti-Christian nature lay, according to Serafinowicz, in a change of clothing, also associated with burning, just as was done with the clothing of those infected by a contagious disease. The next element in the testimony of Filipowicz that also took on

<sup>62</sup> "When thou goest forth to battle against thine enemies, and the Lord thy God delivereth them into thy hands, and thou carriest them away captive, and seest among the captives a woman of goodly form, and thou hast a desire unto her, and wouldest take her to thee to wife; then thou shalt bring her home to thy house; and she shall shave her head, and pare her nails; and she shall put the raiment of her captivity from off her, and shall remain in thy house, and bewail her father and mother a full month; and after that thou mayest go in unto her, and be her husband, and she shall be thy wife."

<sup>63</sup> Yerushalmi, 'The Inquisition and the Jews of France', 367.

<sup>64</sup> The letters of the Hebrew word *se'ara*, שַׁעַר (hebr. hair) yield a numeric value of  $300+70+200+5=575$  or  $300+70+10+200+5=585$ , if the letter "yud" is used, but the name Seth, שֵׁט (the third son of Adam and Eve, born after the death of Cain), has the numeric value  $300+400=700$ . It is not known why Serafinowicz thought Seth to be the devil. Perhaps he had in mind the word *shed*, דֵּשֶׁד (demon). But in this case the numbers do not add up (*shed* =  $300+4=304$ ).

<sup>65</sup> In the Bible, Esau is described as *hirsute*, Gen. 25:25: "The first came out red, all his body like a hairy cloak, so they called his name Esau."

<sup>66</sup> Leopold Zunz, *Literaturgeschichte der synagogalen Poesie* (Berlin, 1865), 620.

an anti-Christian quality in the Serafinowicz text is his being held in the cellar of Chaim Ickowicz, although Serafinowicz, purportedly a former rabbi, believed that this period should last longer than 4 weeks, namely 49 days. This was the time required for the purification of the whole body of everything unclean which it took in earlier. In the eyes of Serafinowicz, all these alleged elements constituted a re-Judaization (i.e., dechristianization) ritual whereas they were actually normal repentant practices known from the *Shulchan Aruch*.<sup>67</sup> The marked exception is the burning of the crucifix, which Serafinowicz linked to the renunciation of the 'false' faith and a declaration of belief in the one God.<sup>68</sup>

Unfortunately, Jan Filipowicz's testimony, recorded in the course of the Lwów trial, has not been preserved and for that reason it is difficult to confirm the existence of a re-Judaization rite similar to that suggested by Serafinowicz. Nevertheless, there is not a shadow of a doubt that the Lwów judges believed in the existence and employment of some rite that was openly antagonistic and sacrilegious towards Christianity.<sup>69</sup> Since, in the eyes of the justices, the ritual bath itself and the renunciation of Christian faith sufficed for consideration of a death penalty for Izbicki in 1757,<sup>70</sup> then it applied all the more so in this case. Considering that Jan Filipowicz had provided testimony placing blame on both himself as well as others, the Lwów court rendered the most severe of penalties. Filipowicz was beheaded and his

<sup>67</sup> *Shulchan Aruch*, Yore De'a, 352:4.

<sup>68</sup> My thanks to Paweł Maciejko of the Johns Hopkins University and Maciej Tomal of the Jagiellonian University for their suggestions.

<sup>69</sup> As can be concluded from the contents of the so-called proposition of the castle court prosecutor, Antoni Wyszpolski, "*deinde supersticiosas suas ceremonias ac incredulas super eadem exercuerunt, praeventamque [per Radliński: inventamque] in pectore eius effigiem crucifixi Jesu Christi candelam ceream primo usserunt, blasphema in Deum verba protulerunt ac eandem effigiem crucifixi nefando ausu et sacrilegis pedibus ad ima deprimendo, fidemque Catholicam execrando conculcarunt, aliasque plurimas Hebraeas blasphemias contra Sanctissimam effigiem Christi et fidem Catholicam perpetrarunt*", Kiev, CDIA, fond 9, op. 2, d. 32, 1155–8; *ibidem*, fond 9, op. 1, d. 521, 1410–11. The text of this proposition has also been included in a reprinted decree found in Radliński, *Prawda chrześcijańska*.

<sup>70</sup> In this instance, the case did not close with a death sentence because the municipal court greatly reduced the penalty for apostasy. There is, however, no allusion to any additional re-Judaization rituals: "*et tam Lesnae, quam et Glogoviae indelebilem Sacri baptizatis characterem animae non corpori identicum, aquis Judaicis per repetitam sui eisdem immersionem inani ausu et conatu delere studendo, veramque Christi fidem blasphema ejuratione contemnendo crimen gravis apostasiae perpetravit*", AP, I-652, 248.

body immolated; Chaim Lejzorowicz (*in absentia*) was sentenced to the burning of his hands, the amputation of his feet, and finally to be burnt alive; the Reices brothers and Moszek (also *in absentia*) were condemned to having their tongues pulled out and to burning at the stake; and Oszyja committed suicide during imprisonment.<sup>71</sup> Open to deliberation, however, is whether the judges reached their decision based upon some other sources of information, aside from this testimony, part of which was gained by torture, which would strengthen their conviction of the clearly heterodoxical, anti-Christian nature of the events that took place in the home of Chaim Ickowicz.

Could these other sources be the works of Bernard Gui and/or Jan Serafinowicz? Both of these might have been known in Lwów at the time, although neither is mentioned in the decree. Serafinowicz himself had been baptized over a decade earlier in nearby Żółkiew. For some time afterwards, he stayed with Lwów Jesuits.<sup>72</sup> Hence, a copy of the text he penned, extracted upon the order of Father Stefan Żuchowski, might still be found in the library of either the Jesuits or the Archbishop of Lwów. On the other hand, neither Gaudenty Pikulski nor Żuchowski specifically referred in their books to the procedure Serafinowicz described should be followed in the case of apostates. This odd oversight appears despite the fact that these authors did report on several other claims regarding Jewish profanation and sacrilege against the Christian faith. With respect to Żuchowski's omission of this fragment of Serafinowicz's text, this is all the more significant

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<sup>71</sup> Radliński, *Prawda chrześcijańska*, 630, 641.

<sup>72</sup> Serafinowicz claimed that he was the son of a Grodno rabbi and the son-in-law of a rabbi from Vilnius. At a young age he became a rabbi first in Stuck, where he served for six years, and then in Brześć (Brest), before becoming a land rabbi of the Grand Duchy of Lithuania. He was known for his accusations regarding the use of Christian blood for ritual purposes, claiming in his depositions that he himself had personally murdered two, and, in other depositions, four Christian boys. See Gaudenty Pikulski, *Złość żydowska przeciwko Bogu y bliźniemu Prawdzie y sumnieniu na objaśnienie Talmudystów, na dowód ich zaślepienia y religii dalekiej od prawa Boskiego przez Moyżesza danego rozdzielona na trzy części opisana przez x. Gaudentego Pikulskiego Zakonu O.S. Franciszka Regularney obserwancyi, prowincyi Ruskiej teologa z dozwoleńiem starszych. Drugi raz do druku z istną relacją dysputy Contr Talmudystów z Talmudystami y przydatkiem innych osobliwości podana roku 1760 w Lwowie, w drukarni Jana Szlichtyna uprzywilejowanego typografa*, 496, 700–4. Paweł Maciejko recently published Serafinowicz's deathbed statement in Maciejko, 'Christian accusations of Jewish human sacrifice'.



considering that his book includes a reference to a father's letter to his neophyte son by the name of Antoni in which, by way of encouraging Antoni to reject his intention to convert, Żuchowski writes of a "wooden god".<sup>73</sup> For the Sandomierz archdeacon this was but another piece of proof confirming Jewish blasphemy against Christianity. Non-inclusion of the exceedingly drastic depiction of the re-Judaization rites – the blasphemy, profanation of the cross, etc. – might testify to Żuchowski's simple disbelief in this procedure, or his withholding of information so as to not upset his readers.

In truth, indisputable verification that Filipowicz's confession pertained to some authentic procedure expediting a return to Judaism is not feasible. Nevertheless, following in the footsteps of Yerushalmi, it can be conceded that many of the elements seem quite plausible. This is especially true with regards to a purifying bath that is commonly undertaken among Ashkenazi Jews. In any case, this custom could, in

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<sup>73</sup> See Chapt. 10 of *Obwinienie w tym wszystkim Żydów terazniejszych*: "I add to the accepted document two pages from the most important of their elders, known in Hebrew as *parnes havad* [i.e., *parnes khavod*], who wrote to the father of Antoni Klimuntowski, the neophyte in Cracow. These are originals translated by me which are registered in the acts of the town hall – *feria sexta pridie festi sancti Valentini anni 1711* – in which it is written 'May you this red gold [ducat, signifying here his faith] not change, I beg you, and not believe in the wooden faith because this faith is a tree *generatio spontea*.' As a second document, I add two printed pages torn from their books, part of their prayers at the time when the synagogue here in Sandomierz began burning in 1711, from the neophyte Michał. On the first is: 'varied are faiths and unequally do they believe but Catholics who bow and pray to the idol who will not help them (and they spit then over their left side because they are not worthy of the right, but about this spitting these pages do not speak but only leave points and they teach their children to know about both the idol and this spitting). But we kneel and bow before the King of Kings who is the true God.' On the second page: 'The Catholic faith is gold and silver human craft. It has a mouth but does not speak, has eyes but does not see, ears but does not hear, neither has it a soul within, though a syndic, a Jew, answered that this is from a psalm, but Michał the neophyte looked him in the eye and told him that his father, a rabbi, taught him that this is how one should understand the Catholic faith.'" See Stefan Żuchowski, *Process Kryminalny o Niewinne Dziecię Jerzego Krasnowskiego, już to trzecie roku 1710 dnia 18 sierpnia w Sendomierzu okrutnie od Żydów zamordowane. Dla odkrycia jawnych Kryminalów Żydowskich, dla przykładu sprawiedliwości potomnym wiekom od X. Stefana Żuchowskiego Obojga prawa Doktora, Archidyakona, oficjala y plebana sendomirskiego jako roku 1698 o drugie, tak roku tegoż 1710, o trzecie zabite w Sendomierzu sieroty aktora. Zaczęty y dotąd się toczący z dozwoleńiem starszych roku 1710 do druku podane* (Sandomierz, 1713), 76–7.



the eyes of Christians or even the majority of simple Jews, constitute a dechristianization ritual.<sup>74</sup> Much later, in 1762, a young neophyte claimed in her statement that she was submitted to a certain type of ritual, although of a different type: purportedly Jews were to have painfully rubbed her forehead, breasts, and right arm with a brick.<sup>75</sup>

Attempts undertaken by Ruthenian land elders to regain, on behalf of Judaism, persons who had relatively recently been involved in alleged ritual murder, as well as reconversion ceremonies in general, were understood as grievous transgressions against the Christian religion. It was on this basis that magnates, high-ranking in the hierarchy of the Republic, participated in these criminal trials. This also explains the ruthlessness of the sentence itself. In the tense atmosphere in Lwów after the Great Northern War, such open rejection of Christianity had to have evoked revulsion and certainly trepidation that an un-avenged assault on the countenance of the Divine majesty could incur further misfortune on the city as well as the kingdom. The religious nature of the verdict is underscored, too, by the supplementary atonement, irrespective of the agonizing death penalty imposed upon both of the Reices brothers – above all, the order that the figure of Christ's Passion (including its legend) be displayed before the Byzantine Catholic Church of St. Jur [St. George] in Lwów.<sup>76</sup> The assets of the convicted were confiscated on behalf of the Voivode of Ruthenia and the Lwów starosta, designated to be used for public purposes (i.e., reparations of the defense fortifications). As an intriguing curiosity one could add that the seized home of Chaim Lejzorowicz, the rabbi of Lwów, was returned in 1773 (albeit in a state of ruin) to his heir.<sup>77</sup>

Because of Jakub Radliński, the 1728 ruling was remembered and subsequently exploited in anti-Jewish polemical texts, though, despite expectations, not that frequently. Many a criminal court sentence whose genesis was rooted in religious conflict was never

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<sup>74</sup> Yerushalmi, 'The Inquisition and the Jews of France', 373–4.

<sup>75</sup> ASV, VI g 11, vol. xciv, c. 193v: "This Herzko Kabatnik with whom I came, and Sender Figlarz with other Jews living in the house, rubbed me with a brick on my forehead and breasts and on my right hand until I cried out. I do not know, however, at whose order they did this." It is likely that these specific parts of her body were subject to harm because they were engaged when making the sign of the cross.

<sup>76</sup> Radliński, *Prawda chrześcijańska*, 644.

<sup>77</sup> Kiev, CDIA, fond 738, op. 1, d. 5 B, 49–53, 13 June 1773.

preserved anywhere. Notwithstanding other circumstances, the events of 1728 were exceptional and there is much to indicate that instances of converts returning to Judaism were not generally treated with such severity, nor with such ominous consequences for the local Jewish community.

It would be worth emphasizing that the stern sentencing proclaimed in 1728 affected solely those persons directly involved in this matter. There is no evidence to indicate serious consequences affecting the Jewish community of Lwów as such. In fact, nothing even suggests any further legal steps having been taken against the Ruthenian Jews also involved in the apostasy of Jan Filipowicz: the informed residents of the towns in which he stayed as a repentant Jew. Although the final verdict comprised an element of the anti-Jewish argumentation of Jakub Radliński and the instigator of the Poznań consistory, there is not much evidence to point to the utilization of this legal case as a means by which to instigate a more broadly developed anti-Semitic campaign.

This is, in some sense, a characteristic feature of the majority of anti-Jewish actions such as accusations of ritual murder. That said, considering the political and social climate in the Republic as well as the nobility's usual partiality toward the Jewish population because such ties lay in the former's economic interest, the majority of such legal actions were limited and local, impinging solely upon individual Jews and/or a specific community. Despite the generally prevalent anti-Jewish prejudices of the period, these apostasy cases did not comprise the groundwork for persecution of the entire Jewish community encompassed within the commonwealth of Poland and Lithuania. Even those magnate judges participating in the Lwów court were known for the leniency extended toward the Jews inhabiting their estate holdings. Therefore, the 1728 case did not play a potentially threatening role as the proverbial spark setting off a conflict; it did not prompt the persecution of the Jewish community as a whole. The case of Jan Filipowicz remains merely an episode testifying to the eighteenth century state of mind and its religiosity as understood by both Christians and Jews.

## ANNEX

AN ANTI-JEWISH TREATISE PENNED IN 1712 OR 1713 BY JAN SERAFINOWICZ  
TO FATHER STEFAN ŻUCHOWSKI, ARCHDEACON OF SANDOMIERZ  
(SANDOMIERZ, DIOCESAN LIBRARY [BDS], AKKS, 740, CC. 322R-323V)

The ceremony described to Jews in the Talmud, which they use in recovering those who from their faithlessness have crossed over to the Christian faith and having been baptized are occasionally captured away from them.

First having taken such a baptized Jew, his entire head is shaved of hair. The reason for this is provided by the Talmud author named Asleravvreve,<sup>78</sup> because the devil is called in Hebrew, Seth. The pagan god is called Hevel.<sup>79</sup> These two names then contain the same numbers whereas hair is the devil and the pagan god is the devil, so they shave hair so that the devil who is the pagan god be shaved. Proof of this is in the writings of the aforementioned Asleravvreve in the book of Moses [*space provided for insertion*], chapter [*space provided for insertion*], there are these words: “whosoever goes to war will capture a slave woman and love her, bringing her to his home, he should permit that her hair and nails grow out.”<sup>80</sup> What this author states must take place for mourning after which the hair should be shaved. And he adds a commandment: “When a person’s father or mother dies, for an entire year the remaining offspring should not shave their hair, but when a year has passed then they should shave it.”<sup>81</sup> Rebe Isai reasons that hair gives occasion to all evil, therefore he permits

<sup>78</sup> Serafinowicz, or perhaps the translator of his text into Polish, erred in that Ashlei Ravreve is not a name but rather a standard description of an authority. This is a typical opening phrase in referring to the *Shulchan Aruch*: “According to the great rabbis ...”.

<sup>79</sup> Idolatrous cults are depicted in Biblical texts as *hevel* (vanity, nothingness) as in Jer. 10:15; 16:19; 51:18; or as *havalim*, as foreign gods as in Deut. 32:21; 1 Kings 16:13 and 26; Jer. 2:5; 8:10; 10:8; 14:22; and Ps. 31:7. Other possible rationalizations for Serafinowicz’s argumentation could be linked to the *Aleinu* prayer. A medieval neophyte maintained that a fragment of this Hebrew invocation – “For they worship and pray to a god who cannot save vanity and emptiness (*Sh’hem mish’tachavim l’hevel variq umit’pal’lim al el lo yoshia*)” – was an enciphered disparagement against Christ. The numeric value of Yeshu and *variq* was purportedly identical; Edward Kessler and Neil Wenborn, *A Dictionary of Jewish-Christian Relations* (Cambridge, 2005), 9.

<sup>80</sup> Deut. 21:10.

<sup>81</sup> Generally this entailed 30 days and not a year, but likely the author based this on more radical, ascetic practices.

that a husband give his wife a divorce who her hair has shown to someone else.<sup>82</sup> And for this reason that the supreme devil lies in hair; because in this word, *Seyre*, which means hair, there are found the numbers, as many, too, as in this Seth who is the devil. That therefore, according to the first text, when he goes forth to battle, [he] should permit the captive woman her hair to grow, this is so that they may examine whether she the woman may the devil, which she hath in her hair, conquer. So, too, in mourning for father or mother, that they do not command the cutting of hair, for this reason they do this, that, having joy with hair, [*incomplete and unintelligible in the original*], from whence it is that the devil is in hair and thus in order to chase out the devil, to shave the head is commanded of those who cross to the Christian faith.

Secondly, his Clothing in which he was caught, they burn,<sup>83</sup> saying: *Hanisrev eshabegat kanychsrev eshanesome boeys*,<sup>84</sup> etc. That is, If you were in the Christian faith, so would your soul burn in hell, as this clothing burns, but that you have fallen into our hands, may this clothing go to hell and with this God in whom you hath believed be burnt, and you with us shall remain, whom, though we the worst lot be, hell cannot swallow. The author mentioned cites as proof from the book of Gige,<sup>85</sup> on which pages the last is described, that were the Jew to be the worst and his deeds the worst be done, will not go to hell.

Thirdly, they should kosherize him for 49 days.<sup>86</sup> The cause for this being that everything evil which is in man can by water or the sea

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<sup>82</sup> Kethuboth 72.

<sup>83</sup> Both the shaving of all hair and the burning of clothing are grounded in rituals dealing with lepers. See Lev. 13; Mishnah Negaim, Maimonides *Taharah*, *Hilchot Tuma'at Tzaraath* 8:1.

<sup>84</sup> "*Ha nisraf et ha-beged ke-nisarew et ha-neshamah ba-esh*." Literally, "May this clothing burn up as a soul burns in fire", and quite possibly a citation from some unknown work.

<sup>85</sup> The author is likely referring to the following fragment: "R. Abbahu said that R. Eleazar said: 'The fire of Gehinnom has no power over the Scholars'"; Babylon Talmud, Tractate *Hagigah* 27a. Very intriguing is that he did not make allusion to the Sanhedrin 90a: "All Israel have a portion in the world to come."

<sup>86</sup> This recalls the 49 gates of impurity. When the Israelites were in Egypt, they were mired in impurities almost to the ultimate level: the last, the 50th signifies a complete severance from God. The 49 days of Omer which separate Passover (the exit out of Egypt) from Shavuot (the bequeathal of the Torah) represents the 49 *tikkunim* – one for each level.

externally be cast out, therefore this [neophyte] whatever internally this neophyte might have that is evil, by baptism be [it] cast outside.

Fourthly, all Jews should on the synagogue threshold trample him for forty days.<sup>87</sup> The reasons are found in the Book of Eveudezor,<sup>88</sup> chapter 3, as we trample this God in whom you have believed, so that this God in which you believed is beneath your feet and not in your heart.

Fifthly, They should give such things to eat and imbibe that all food which he had taken in among the Christians [is expelled].<sup>89</sup>

Sixthly, They should gain wood from God's Passion and before his eyes burn it, saying *Roi sykienisref eselehim selgewin*.<sup>90</sup> This is to show that we have over this God, in whom you have believed, the power to burn him just as the devils would have over you power in hell. Upon which he should these words recite: *Emune seleime sehabeure*,<sup>91</sup> that is, I believe in One God the Father Almighty, Creator of Heaven and Earth and I renounce all wood and his devils and want to die in this faith in which I was born. Upon which all respond: Amen.

To all who of their free will return to them [the Jews] having shaven their head, a great penance pronounced upon them, such as a fast for forty years, to stand outside the doorway of the synagogue in mourning until death, and others.<sup>92</sup>

trans. Annamaria Orla-Bukowska

proofreading Sean Martin

<sup>87</sup> This signifies the expiation ritual after the suspension of *cherem*. See other examples in Paweł Maciejko, *Mixed Multitude: Jacob Frank and the Frankist Movement, 1755–1816* (Philadelphia, 2011), 33–4.

<sup>88</sup> In the Avodah Zarah tractate 3 of the Babylon Talmud, no such statement is found. Maybe this comprises a hyperbolic interpretation of the fragment: "Straightaway will every one of them [from the nations] betake himself and go and make a booth on the top of his roof; but the Holy One, blessed be He, will cause the sun to blaze forth over them as at the Summer Solstice and every one of them will trample down his booth and go away, as it is said, Let us break their bands asunder, and cast away their cords from us."

<sup>89</sup> This sentence was left incomplete by either the author or his translator.

<sup>90</sup> *Ra'ui she [kshe-?] yyisaref et elohim she [lo-?]*. In other words, "Better that the god burn in whom ...". This sentence contains grammatical errors and is incomprehensible.

<sup>91</sup> *Emuna shlema she ha-bore ...*; "Perfect is faith in the creator ...". So begins one of the possible liturgical formulations in the principium of Maimonides.

<sup>92</sup> *Tikunei teszuva*, typical for the *Hasidei Ashkenaz*.

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